B104 (FORM 104) (08/07)

| ADVERSARY PROCEEDING COVER SHEET (Instructions on Reverse) 2017 MAY 2 PLAINTIFFS U.S. BANKE | ADVERSARY PROCEEDING NUMBER | | |
|--|--|--|--|
| (Instructions on Reverse) 2017 | (Court Use Only) | | |
| TAY 2 | 4 PM 2 | | |
| PLAINTIFFS U.S. CL | DEFENDANTS | | |
| PLAINTIFFS JOEL PLYS U.S. BANKE | DANILO GERONIMO AHGJI | | |
| JOEL 1- L72 | FCALIF SVEA FULLKO KOMORI | | |
| ATTORNEYS (Firm Name, Address, and Telephone No.) | ATTORNEYS (If Known) | | |
| | NICHOLAS M. WAJDA | | |
| | 11.01.02.12 | | |
| | | | |
| PARTY (Check One Box Only) | PARTY (Check One Box Only) | | |
| □ Debtor □ U.S. Trustee/Bankruptcy Admin | Debtor U.S. Trustee/Bankruptcy Admin | | |
| ★Creditor □ Other | □ Creditor □ Other | | |
| □ Trustee | □ Trustee | | |
| CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE | GOF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED) | | |
| | LVING EGREGIOUS CIRCUMSTANCES | | |
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| TRUSTEE HAS ALL EVIDENCE OF COI | | | |
| FALSE INFORMATION ON THE BK I | FILED | | |
| TAT A TRUE TENENT A | OF CHITT | | |
| NATURE (| | | |
| (Number up to five (5) boxes starting with lead cause of action as I | , first alternative cause as 2, second alternative cause as 3, etc.) | | |
| FRBP 7001(1) – Recovery of Money/Property | FRBP 7001(6) - Dischargeability (continued) | | |
| 11-Recovery of money/property - §542 turnover of property | 61-Dischargeability - §523(a)(5), domestic support | | |
| 12-Recovery of money/property - §547 preference | 68-Dischargeability - §523(a)(6), willful and malicious injury | | |
| 13-Recovery of money/property - §548 fraudulent transfer | 363-Dischargeability - §523(a)(8), student loan | | |
| 14-Recovery of money/property - other | 64-Dischargeability - §523(a)(15), divorce or separation obligation | | |
| EDDD 7001/2) Validity Drivates on Estant of Lian | (other than domestic support) | | |
| FRBP 7001(2) - Validity, Priority or Extent of Lien 21-Validity, priority or extent of lien or other interest in property | 65-Dischargeability - other | | |
| 21- variately, priority of oxion of field of outer interest in property | FRBP 7001(7) - Injunctive Relief | | |
| FRBP 7001(3) - Approval of Sale of Property | 71-Injunctive relief – imposition of stay | | |
| 31-Approval of sale of property of estate and of a co-owner - §363(h) | 72-Injunctive relief – other | | |
| FRBP 7001(4) - Objection/Revocation of Discharge | • | | |
| 41-Objection / revocation of discharge - \$727(c),(d),(e) | FRBP 7001(8) Subordination of Claim or Interest | | |
| 6 - (-),(-),(-) | 31-Subordination of claim or interest | | |
| FRBP 7901(5) - Revocation of Confirmation | FRBP 7001(9) Declaratory Judgment | | |
| 51-Revocation of confirmation | 91-Declaratory judgment | | |
| FRBP 7001(6) Dischargeability | | | |
| 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims | FRBP 7001(10) Determination of Removed Action | | |
| 2 62-Dischargeability - §523(a)(2), false pretenses, false representation, | ☐ 01-Determination of removed claim or cause | | |
| actual fraud | Other | | |
| 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny | SS-SIPA Case – 15 U.S.C. §§78aaa et.seq. | | |
| (continued next column) | 02-Other (e.g. other actions that would have been brought in state court | | |
| (consider next commit) | if unrelated to bankruptcy case) | | |
| ☐ Check if this case involves a substantive issue of state law | ☐ Check if this is asserted to be a class action under FRCP 23 | | |
| □ Check if a jury trial is demanded in complaint | Demand \$ 11,466.23 + INTEREST | | |
| Other Relief Sought | 1,500 A | | |
| | | | |
| i e e e e e e e e e e e e e e e e e e e | | | |

B104 (FORM 104) (08/07), Page 2

| BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES | | | | | |
|---|--------------|--------------------------------|-----------------------------|--|--|
| NAME OF DEBTOR DANILO GERONIMO ANG JR /SVEA FO | USIKO KOMORI | BANKRUPTCY CASE NO. | 16-07775-CL13 | | |
| DISTRICT IN WHICH CASE IS PENDING | | DIVISION OFFICE | NAME OF JUDGE | | |
| RELATED ADVERSARY PROCEEDING (IF ANY) | | | | | |
| PLAINTIFF | DEFENDANT | Γ | ADVERSARY PROCEEDING NO. | | |
| DISTRICT IN WHICH ADVERSARY IS PENDIN | G | DIVISION OFFICE | NAME OF JUDGE | | |
| SIGNATURE OF ATTORNEY (OR PLAINTIFF) | | | | | |
| 5/24/17 | | PRINT NAME OF ATTORNE JOEL PL | , | | |

INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also must complete and file Form 104, the Adversary Proceeding Cover Sheet, unless the party files the adversary proceeding electronically through the court's Case Management/Electronic Case Filing system (CM/ECF). (CM/ECF captures the information on Form 104 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and Defendants. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.

CSD 3001 [04/28/96] Name, Address, Telephone No. & I.D. No. JOEL PLYS FILED 7275 Stanford Ave 2017 MAY 24 PM 3: 30 La Mesa, CA 91942 U.S. BANKRUPTCY CT SO DIST. OF CALIF. (619) 347-9366 UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF CALIFORNIA 325 West F Street, San Diego, California 92101-6991 Danilo Geronimo Ang Jr Svea Fujiko Komori In Re 16-07775-CL13 BANKRUPTCY NO. Debtor. JOEL PLYS

Danilo Geronimo Ang Jr

Svea Fyjiko Komeri ADVERSARY NO. Plaintiff(s) [add if filed in response to hearing} Date of Hearing: Time of Hearing: Name of Judge: Defendants(s)

Complaint

To Whom It May Concern:

This is our official complaint to challenge dischargability for the item listed on form 106E/F, Part 2, section 4.3

I am Joel Plys, a pro se litigant, seeking an extension of the deadline to file this complaint since the meeting of creditors has been continued five times: February 3, April 24, May 15, May 22, and now June 19th.

It was my understanding that I could attend the meeting of creditors and bring up my concerns and issues with this bankruptcy filing to the trustee in hopes it would not be confirmed. I now understand that this is not the role of the trustee and that the adversary proceeding must be filed to make that decision. I am requesting that the deadline to file this be adjusted accordingly with the moving meeting of creditors.

As you will see from my proof of claim and other discrepancies listed on this bankruptcy that Dan Ang and Svea Fujiko Komori are attempting to avoid paying the judgment granted to my family for his 3 months of harassment.

Please do not let them get away with this and have the claim be moved to a secured status. Dan Ang should be held accountable for his actions and make the necessary payments required since debts for willful and malicious injury are morally distinguishable from other types of debt deserving of discharge. Plus the acts & conduct displayed by Svea for her businesses is highly suspect as well as other fraudulent items listed in this bankruptcy claim.

I ask that you take all this into consideration in granting the adversary hearing for this bankruptcy.

Sincerely,

Joel Plys

(619) 347-9366

Nature of Suit 1 - 523(a)(6) Willful, Malicious act

(6) for willful and malicious injury by the debtor to another entity or to the property of another entity

My proof of claim was filed on January 24, 2017, which includes full documentation of the willful and malicious acts done by Dan Ang against my family. 3 months of harassing text messages from fake VoIP numbers were documented and provided to the La Mesa PD. Dan Ang texted me for 3 months accusing my wife of adultery, calling her a whore and that my soon to be born daughter was not mine. Dan was also texting college women with harassing messages.

The proof of claim shows:

- · The 3 small claims judgments
- Restraining Order Ruling
- Criminal Case plea of guilty
- La Mesa PD report of criminal case
- List of harassing text messages
- Full listing of harassment/lies by Dan Ang

Once caught, Dan Ang plead guilty to the detective and a restraining order was granted on November 18th. It was suggested that we go to small claims to recuperate our losses for this time of harassment. Dan Ang tried 3 separate appeals – the final small claims judgment adding \$1,446.23 for an appeal in bad faith. The total due in this settlement is \$11,446.23. The maximum amount that can be allowed in small claims settlement was approved on December 20th, 2016 plus the appeal in bad faith amount.

That amount is the only nonpriority unsecured claim listed on their BK that is for willful and malicious injury. These debts are morally distinguishable from other types of debt deserving of discharge under 523(a)(6). You will see in Nature of Suit 3 that they can afford this in their 5-month plan since Svea makes more than what was listed in the plan.

I am also adding to this documentation that I am seeking a renewal of the RO and a court date was granted for the evidence I presented to Judge Tamila E. Ipema. Dan Ang already skipped the first court date on May 19 – avoiding the service of papers, yet his lawyer contacted ours asking if he would be in attendance a few days prior. The hearing was continued to June 2nd assuming the sheriff is successful in serving Dan Ang. This has been an issue in the past despite having professional service used and Dan Ang denying the service of papers. He will eventually be served and held accountable again for his actions.

The appeal in bad faith and the granting of a renewal court date should tell you the type of people we are dealing with for this bankruptcy. We hope that the checks and balances for bankruptcy will also keep Dan Ang accountable for his behavior.

Nature of Suit 2 - 727(c)(2) - acts & conduct

(c)(2) On request of a party in interest, the court may order the trustee to examine the acts and conduct of the debtor to determine whether a ground exists for denial of discharge.

The proof of claim shows the full list of harassment/lies done by Dan Ang in this process. This bankruptcy is just another example of this egregious behavior.

The trustee has full documentation of the acts & conduct of Svea Ang in her dealings with Dancing Bear Indian Trader. Svea has worked here since 2007 and was listed in several places as co-owner/manager. All of these issues are listed in detail under Nature of Suit 3

Nature of Suit 3 - 523(a)(2) - Fraudulent

Fraudulent information is on the following sections:

- Form 106 A/B p.3 part 13
 - o The Ang's own 2 dogs and 1 cat (Pepper, Bambi, and Wicket)
 - o NO is marked in this section. Why lie?
- Form 106 E/F p.2 of 3 part 4.3
 - Small Claims for settlement on harassment charge completed on December 20th 2016, not 2015 as listed
 *** perhaps Dan is putting 2015 down which is when the harassment was happening
 - o Amount is \$11,466.23, not \$10,000 as listed
 - This settlement cannot be disputed as listed this was Dan Ang's 3rd and final continuation attempt. The max granted for small claims is \$10,000 – note that \$1,466.23 was awarded for an appeal in bad faith
- Form 107 p.3 part 4
 - Small Claims settlement complete on December 20th, 2016 this is concluded, not pending as listed
- Form 106A/B p.1 Part 1.1
 - o Current value listed as \$269,181.00
 - In 2005 Svea refinanced with 2 loans of \$268,000 & \$33,400 = \$301,400
 - Current Zillow listing shows as \$274,107 EXHIBIT A
- Form 106A/B p.2 Part 3.1 and Form 106D p.2 of 3 Part 1 2.4
 - o The Honda is listed for Debtor 1
 - o This car is registered to Svea (Debtor 2) and Christine Tracy
 - o Christine Tracy should be listed as a co-debtor on form 106H
- Form 106l p.1
 - Numerous accounts of Svea listing herself as Co Owner/Manager of Dancing Bear Indian Trader – evidence submitted to Trustee
 - Svea stated under oath at meeting of creditors on May 22, 2017 that she removed social media listings of her as manager – see Exhibit B.1 & B.2 showing her listed as OWNER on the Dancing Bear Indian Trader ETSY account on May 23, 2017
 *** why is Christine Tracy not listed?
 - Svea stated under oath at meeting of creditors on May 22, 2017 that from Dancing Bear she receives approx. \$700 every 2 weeks = \$1,400/month --- the amount listed on this plan is \$460/month
 - Svea does not have Bellpepper Fabrics listed as she does on form 122C-1 p.5

Nature of Suit 3 continued – 523(a)(2) – Fraudulent

- Form 107 p. 1 & 2 Part 2
 - Svea, under oath on May 22, 2017 states that she makes \$1400/month – this would be \$16,800/yr. Under wages, commissions, bonuses, tips Svea lists:
 - Current/2016 amount provided is \$7,100
 - 2015 amount provided is \$3,345.00
 - 2014 amount provided \$3,125.00
 - Svea also lists income for operating a business Bellpepper Fabrics 6 month average from Form 122C-1 is \$371.33/month (\$4,455.96/year)
 - Current/2016 Gross Income \$4,456.08
 - **2015 GI = \$4,518.00**
 - **2014 GI = \$17,488.00**
 - Is 2014 business Bellpepper or another business entity? The GI is almost 4Xs the average listed for 2015 & 2016
- Form 122C-1 p.5
 - Stated under oath at meeting of creditors on May 22, 2017 that she receives approx. \$700 every 2 weeks = \$1,400/month --- the amount listed on this plan is \$460/month

At the hearing, the judge can renew the current restraining order for up to another five years. You must continue to obey the current restraining order until the hearing. At the hearing, you can tell the judge if you do not want the order against you renewed. If the restraining order is renewed, you *must* obey the order even if you do not attend the hearing.

If you wish to make a written response to the request to renew the restraining order, you may fill out form CH-720, Response to Request to Renew Restraining Order. File the original with the court before the hearing and have someone age 18 or older—not you—mail a copy of it to the protected person at the address in (1) at least hearing. Also file form CH-250, Proof of Service of Response by Mail, with the court before the hearing.

This is a Court Order.

Case Number:

37-2015-000225550- CU-HR-CTL

To the Protected Person:

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Service and Response

Someone age 18 or older—not you or anyone else protected by the restraining order—must personally serve (give) a copy of the following forms on the restrained person at least 5 days before the hearing.

- CH-700, Request to Renew Restraining Order;
- CH-710, Notice of Hearing to Renew Restraining Order (this form);
- CH-720, Response to Request to Renew Restraining Order (blank copy);
- CH-130, the current Civil Harassment Restraining Order After Hearing for which renewal is requested.

After the restrained person has been served, file form CH-200, *Proof of Personal Service*, with the court clerk. For help with service, read form CH-200-INFO, *What Is "Proof of Personal Service"*?

Date:

MAY 1 2 2017

Judicial Officer



Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for Request for Accommodations by Persons with Disabilities and Response (form MC-410). (Civ. Code, § 54.8.)



CLERK'S CERTIFICATE

The foregoing document, consisting of page(s), is a full, true, and correct copy of the copy on file in this office.

Clerk of the Superior you

5-12-17

Doputy S. Goodrick

This is a Court Order.

(Civil Harassment Prevention)

Notice of Hearing to Renew Restraining Order

CH-710, Page 2 of 2

1800 S Maple St APT

206,

Don't miss ou

search and be

New homes a

Escondido, CA 92025

Edit 2 beds · 2 baths · 1,082 sqft

Edit home facts for a more accurate Zestimate.

contains 2 bedrooms and 2 bathrooms. This home last home that contains 1,082 sq ft and was built in 1981. It 1800 S Maple St APT 206, Escondido, CA is a condo sold for \$225,000 in June 2003.

increased by \$4/mo in the last 30 days. The property tax \$215,000, an increase of 13.2% over the previous year. in 2016 was \$2,410. The tax assessment in 2016 was The Zestimate for this house is \$274,107, which has increased by \$8,380 in the last 30 days. The Rent Zestimate for this home is \$1,775/mo, which has

OFF MARKET

·wow

Zestimate": **\$274,107**

I disagree

Rent Zestimate: \$1,775 /mo

EST. REFI PAYMENT

\$1,014/mo

See current rates



